

1 AN ACT concerning public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by adding  
5 Sections 16-143.3 and 17-121.1 as follows:

6 (40 ILCS 5/16-143.3 new)

7 Sec. 16-143.3. Domestic partner eligibility.

8 (a) Beginning July 1, 2007, an unmarried teacher may  
9 designate a domestic partner by filing a written designation  
10 with the System in the manner prescribed by the System. The  
11 System may require reasonable evidence that the person  
12 designated meets the qualifications set forth in subsection  
13 (c). Such a designation is revocable at any time, but may not  
14 be made or changed more than once in any 24-month period. The  
15 marriage of a teacher automatically revokes any designation of  
16 a domestic partner previously made by that teacher.

17 (b) The designated domestic partner of a teacher shall be  
18 eligible to receive survivor and death benefits under this  
19 Article in the same manner and subject to the same conditions  
20 as a surviving spouse. For the purposes of determining  
21 eligibility for those benefits, the date of designation of a  
22 domestic partner shall be deemed the equivalent of the date of  
23 marriage, and the revocation or change of a designation shall

1 be deemed the equivalent of termination of the marriage.  
2 References in this Article and other applicable Articles of  
3 this Code to a surviving spouse shall be deemed to include a  
4 surviving designated domestic partner.

5 (c) "Domestic partner" means an individual of the same  
6 gender as an unmarried teacher who (1) is involved with the  
7 teacher in a long-term relationship of indefinite duration; (2)  
8 has resided together with the teacher at the same address for  
9 at least 12 months; (3) is not related to the teacher by blood  
10 to a degree of closeness that would prohibit legal marriage in  
11 the state in which they legally reside; (4) is not married to  
12 any other person; and (5) has an exclusive mutual commitment to  
13 the teacher in which they agree to be jointly responsible for  
14 each other's common welfare and to share financial obligations.

15 (40 ILCS 5/17-121.1 new)

16 Sec. 17-121.1. Domestic partner eligibility.

17 (a) Beginning July 1, 2007, an unmarried teacher may  
18 designate a domestic partner by filing a written designation  
19 with the Fund in the manner prescribed by the Fund. The Fund  
20 may require reasonable evidence that the person designated  
21 meets the qualifications set forth in subsection (c). Such a  
22 designation is revocable at any time, but may not be made or  
23 changed more than once in any 24-month period. The marriage of  
24 a teacher automatically revokes any designation of a domestic  
25 partner previously made by that teacher.

1       (b) The designated domestic partner of a teacher shall be  
2 eligible to receive survivor and death benefits under this  
3 Article in the same manner and subject to the same conditions  
4 as a surviving spouse. For the purposes of determining  
5 eligibility for those benefits, the date of designation of a  
6 domestic partner shall be deemed the equivalent of the date of  
7 marriage, and the revocation or change of a designation shall  
8 be deemed the equivalent of termination of the marriage.  
9 References in this Article and other applicable Articles of  
10 this Code to a surviving spouse shall be deemed to include a  
11 surviving designated domestic partner.

12       (c) "Domestic partner" means an individual of the same  
13 gender as an unmarried teacher who (1) is involved with the  
14 teacher in a long-term relationship of indefinite duration; (2)  
15 has resided together with the teacher at the same address for  
16 at least 12 months; (3) is not related to the teacher by blood  
17 to a degree of closeness that would prohibit legal marriage in  
18 the state in which they legally reside; (4) is not married to  
19 any other person; and (5) has an exclusive mutual commitment to  
20 the teacher in which they agree to be jointly responsible for  
21 each other's common welfare and to share financial obligations.